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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,954	12/15/2003	Remco Teunen	VOCE-002/00US	5536
7590		08/21/2007		
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			EXAMINER	
			NG, EUNICE	
			ART UNIT	PAPER NUMBER
			2626	
			MAIL DATE	DELIVERY MODE
			08/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/736,954	Applicant(s) TEUNEN ET AL.	
	Examiner Eunice Ng	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Objections

1. Claim 7 is objected to because of the following informalities: In the 1st line of the claim, “operative to” constitutes intended use which itself has not been recited. The examiner has interpreted “is operative to receive” as --receives--. In the 2nd line of the claim “storage is said” should be --storage in said--. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 5-7 and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reding et al. (hereinafter Reding), US Patent App. Pub. 2002/0065656.

Regarding claim 1, Reding suggests a system for generating voiceprints (his speech recognition models; Abstract), comprising: a first specification for designating a first set of data to be used in producing a first voiceprint (see Fig. 4, item 410, speech data); and

stored voice recordings annotated with metadata describing characteristics associated with said stored voice recordings (see Fig. 4, item 414, digital speech recording; ¶ 59, “Speech data 410 includes extracted feature information 412, e.g., feature vectors, and digital recordings of speech 414”).

Reding suggests, a voice print generator for receiving said first specification and using said first set of data to retrieve selected voice recordings from said stored voice recordings, and further for generating said first voiceprint using said selected voice recordings (see Fig. 4, item 406, speaker dependent SRMS; ¶ 58). Reding does not explicitly use the term “voice print generator.” However, he teaches the use of speaker dependent speech recognition models (p. 5, ¶ 58 and Fig. 4, item 406). Page 5, ¶ 59, also teaches that his recordings contain speech information which can be transmitted via the Internet for use in model training.

Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to use the speech related data he has stored to generate speaker dependent models because he teaches it is useful to allow sharing of such information between computers over the Internet (p. 5, ¶ 59).

The limitations of claims 5 and 10 are the same as or similar to those of claim 1, rejected above, and thus are rejected for the same reasons.

Regarding claim 2, Reding teaches wherein said first specification includes a designation of the specific speech engine to be used in producing said first voiceprint, and further wherein said voice print generator creates said first voiceprint using said specific speech engine (p. 3, ¶ 25, updated models are returned to the speech recognition systems along with, in some cases, new speech recognition engine software teaches using a particular application or specific speech engine).

The limitations of claims 6 and 11 are the same as or similar to those of claim 2, rejected above, and thus are rejected for the same reasons.

Regarding claim 3, Reding teaches wherein said first specification is provided by a first application coupled to said system, said first application requesting said first voiceprint (using a particular application or a particular request is taught by Reding on p. 10, ¶ 120, which teaches the case of a speaker dependent speech recognition model type..., ¶ 122 which teaches the model store includes separate sets of models for individual users and ¶ 125 which teaches systems which use speech recognition models can periodically request, from the speech processing facility 18, speech recognition model updates via the Internet). Thus, Reding teaches that his system may serve a variety of applications based upon user requests. As noted above, “specific voiceprints requested by said applications” (claim 5) is suggested by Reding in ¶ 120 which further teaches that [t]he generated speech recognition model will be of the type specified by the received information.

The limitations of claims 7 and 12 are the same as or similar to those of claim 3, rejected above, and thus are rejected for the same reasons.

4. Claims 4, 8, 9 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reding et al. in view of Saylor et al. (hereinafter Saylor), US Patent 6,501,832.

Regarding claim 4, Reding does not explicitly teach the use of “additional metadata” as claimed. However, Saylor teaches that it is old and well known to include metadata to describe necessary database content for particular applications when recognition data is shared over the Internet (col. 14, ll. 55-63). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to further improve Reding because Reding shares recognition data over the Internet to improve or reduce computation and storage among multiple

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systems which is a similar goal of Saylor. Therefore, Reding in view of Saylor teaches wherein said first application collects current voice recordings from a first application user and annotates said current voice recordings with additional metadata, and further wherein said first application provides said current voice recordings and said additional metadata to said system for storage and subsequent use (see also rejection of claims 1, 5 and 10, above).

The limitations of claims 8, 9 and 13 are the same as or similar to those of claim 4, rejected above, and thus are rejected for the same reasons.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Keough et al. (US 2002/0072900) teaches a system and method of templating specific human voices.

Cilurzo et al. (US 6,434,526) teaches network application software services containing a speech recognition capability.

Zirngibl et al. (US 6,829,334) teaches a system and method for the creation and automatic deployment of personalized, dynamic and interactive voice services, with telephone-based service utilization and control in conjunction with interactive, real-time, voice transmission of information to a user.

Saylor et al. (US 6,895,084) teaches a system and method for generating voice pages with included audio files for use in a voice page delivery system.


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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eunice Ng whose telephone number is 571-272-2854. The examiner can normally be reached on Monday through Friday, 8:30 a.m. - 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 571-272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EN
8/13/07



DAVID HUDSPETH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER